

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

THIRD DAY'S PROCEEDINGS

Thirty-first Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, March 27, 2002

The House of Representatives was called to order at 2:00 P.M.,
by the Honorable Charlie DeWitt, Speaker of the House of
Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their
names:

PRESENT

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Pierre
Alexander, E	Glover	Pinac
Alexander, R	Green	Pitre
Ansardi	Guillory	Powell
Baldone	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Riddle
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Clarkson	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Doerge	McCallum	Tucker
Downer	McDonald	Waddell
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Farrar	Morrell	Winston

Faucheux
Flavin
Frith
Fruge
Total—103

Morrish
Murray
Nevers
Odinet

Wooton
Wright

ABSENT

Hunter
Total—2

Smith, G.—56th

The Speaker announced that there were 103 members present
and a quorum.

Prayer

Prayer was offered by Rep. Broome.

Pledge of Allegiance

Rep. Baudoin led the House in reciting the Pledge of Allegiance
to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Frith, the reading of the Journal was
dispensed with.

On motion of Rep. Frith, the Journal of March 26, 2002, was
adopted.

Petitions, Memorials and
Communications

The following petitions, memorials, and communications were
received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

March 27, 2002

To the Honorable Speaker and Members of the House of
Representatives:

I am directed to inform your honorable body that the Senate has
concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 22
Returned without amendments.

House Concurrent Resolution No. 23
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

March 27, 2002

To the Honorable Speaker and Members of the House of
Representatives:

Page 2 HOUSE

3rd Day's Proceedings - March 27, 2002

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 5

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Rodney Alexander, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to promulgate rules to afford residents of private Intermediate Care Facilities for the Mentally Retarded (ICF/MR) opportunities to move to a more integrated setting.

Read by title.

On motion of Rep. Rodney Alexander, and under a suspension of the rules, the above resolution was referred to the Committee on Health and Welfare, under the rules.

Introduction of House Bills and Joint Resolutions

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

HOUSE BILL NO. 138—

BY REPRESENTATIVES ANSARDI, ALARIO, DAMICO, GREEN, MARTINY, AND SNEED AND SENATORS HAINKEL AND HEITMEIER
AN ACT

To enact R.S. 17:85.1, relative to naming a high school athletic field house; to authorize the parish school board in certain parishes to name a high school athletic field house in honor of a former parish president and football director; to provide limitations; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

HOUSE BILL NO. 139—

BY REPRESENTATIVES DIEZ AND QUEZAIRE
AN ACT

To enact R.S. 48:386.1, relative to maintenance of railroad rights-of-way at public highway railroad grade crossings; to provide for definitions; to require railroads to cut vegetation and remove structures on railroad rights-of-way at public highway railroad grade crossings and within a certain proximity thereto; to require the Department of Transportation and Development to inspect and evaluate public highway railroad grade crossings for

compliance purposes; to require the Department of Transportation and Development to provide to railroad companies notices of noncompliance for the maintenance of public highway railroad grade crossing rights-of-way; to provide for penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 140—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 47:6005(D), relative to the qualified recycling equipment credit; to provide that certain industries may receive one hundred percent of the credit and any credit carry-forward during any taxable period; to provide that any excess credit amount over and above the amount of tax due shall be refunded to the taxpayer in the same manner as overpayments of tax; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 141—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 17:3351.5; to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to increase tuition and nonresident attendance fee amounts for students in future entering classes at the Paul M. Hebert Law Center; to authorize proportional amounts for part-time students and for summer sessions; to provide limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

HOUSE BILL NO. 142—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 49:992(B)(3) and to enact R.S. 49:967(E), relative to the Administrative Procedure Act; to authorize the Louisiana Department of Environmental Quality, its officials, and agents to seek judicial review of adjudications; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

HOUSE BILL NO. 143—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2412(1) and to enact R.S. 30:2412(1.1), (9.1), and (24.1) and 2418(M), relative to the disposal of waste tires; to provide for definitions; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Environment.

HOUSE BILL NO. 144—

BY REPRESENTATIVES HAMMETT, DEWITT, AND PINAC
AN ACT

To amend and reenact R.S. 51:2452(A), 2453, 2454, 2455, 2457, 2458(introductory paragraph), 2460, and 2461 and to enact R.S. 51:2456 and 2462, relative to economic development activities; to revise the quality jobs program; to provide for rebates to certain employers based on the gross payroll of new direct jobs in the state; to provide requirements for participation in the program; to provide for payment of such rebates to qualified employers; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 145—

BY REPRESENTATIVE BROOME
AN ACT

To repeal R.S. 11:411(10), relative to membership in the Louisiana State Employees' Retirement System; to repeal provisions making employees of the East Baton Rouge Parish Housing Authority members of the system and providing for related matters; to provide that neither the East Baton Rouge Parish Housing Authority nor any employee thereof shall be required or allowed to make contributions to the system pursuant to Act No. 404 of the 2001 Regular Session of the Legislature; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Retirement.

HOUSE BILL NO. 146—

BY REPRESENTATIVE NEVERS
AN ACT

To authorize and provide for the transfer or lease of certain state property in Washington Parish to the city of Bogalusa from the Department of Health and Hospitals; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources.

HOUSE BILL NO. 147—

BY REPRESENTATIVES LANDRIEU AND CLARKSON AND SENATORS BAOJIE, HAINKEL, AND SCHEDLER
AN ACT

To enact Chapter 7-A of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1921 through 1927, relative to the Tulane/L.S.U. Cancer Research Center; to provide for its creation, organization, powers, and functions and for its governance board; to provide for reports and annual audits; to provide for application of and exemption from certain provisions of state law; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

HOUSE BILL NO. 148—

BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 47:820.5(B)(2)(a)(x), relative to the Greater New Orleans Mississippi River Bridges; to authorize the use of certain revenues from the Greater New Orleans Mississippi River Bridges to upgrade the Peters Road rail corridor; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

**House Bills and Joint Resolutions on
Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

HOUSE BILL NO. 134—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:542(A), (B), and (C)(1) and (2), relative to cost-of-living increases for retirees, survivors, and beneficiaries provided by the Louisiana State Employees Retirement System; to provide relative to credits and debits of the Employee Experience Account from which such increases are paid; to provide for payment of such increases on a calendar-year basis and based on the Employee Experience Account balance for the prior fiscal year; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

Motion

On motion of Rep. Murray, the Committee on House and Governmental Affairs was discharged from further consideration of House Bill No. 73.

HOUSE BILL NO. 73—

BY REPRESENTATIVE MURRAY
A JOINT RESOLUTION

Proposing to amend Article VI, Section 29(D) of the Constitution of Louisiana, relative to sales and use taxes; to provide for certain voting requirements for enacting certain tax exemptions or exclusions from sales and use taxes; to provide for the submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

On motion of Rep. Murray, the bill was recommitted to the Committee on Ways and Means.

**House Bills and Joint Resolutions on
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

Page 4 HOUSE

3rd Day's Proceedings - March 27, 2002

HOUSE BILL NO. 45—

BY REPRESENTATIVES ALARIO, MURRAY, LANDRIEU, K. CARTER,
AND HEATON

AN ACT

To amend and reenact Sections 20 and 23 of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 657 of the 1979 Regular Session of the Legislature, Act No. 99 of the 1980 Regular Session of the Legislature, Act No. 9 of the 1980 Second Extraordinary Session of the Legislature, Act No. 287 of the 1982 Regular Session of the Legislature, Act No. 572 of the 1984 Regular Session of the Legislature, and Act No. 390 of the 1987 Regular Session of the Legislature, Act No. 43 of the 1992 Regular Session of the Legislature, Act No. 1013 of the 1993 Regular Session of the Legislature, Act Nos. 13 and 42 of the 1994 Regular Session of the Legislature, and Act Nos. 1174 and 1176 of the 1997 Regular Session of the Legislature, relative to the Ernest N. Morial-New Orleans Exhibition Hall Authority, to grant additional powers to the authority, including authorization for the levy and collection of an additional tax on hotel occupancy and a food and beverage tax; to provide for the issuance of bonds and other obligations of the authority to finance expansion projects; to provide for additional bonding capacity of the authority; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 45 by Representative Alario

AMENDMENT NO. 1

On page 4, line 15, after "hundred" and before "dollars" insert "thousand"

AMENDMENT NO. 2

On page 4, line 26, after "kindergartens" and before the semi-colon ";" insert "and pre-kindergartens"

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 46—

BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER,
AND HEATON

AN ACT

To amend and reenact R.S. 47:322.38, relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 2—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 13:5108.4(A)(9), relative to payment of legal expenses of state officials and employees; to provide for membership of the Attorney Fee Review Board; and to provide for related matters.

Read by title.

Rep. Bruneau moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Pierre
Alexander, E	Glover	Pinac
Alexander, R	Green	Pitre
Ansardi	Guillory	Powell
Baldone	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Riddle
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Clarkson	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Doerge	McCallum	Tucker
Downer	McDonald	Waddell
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinet	
Total—103		

NAYS

Total—0

ABSENT

Hunter	Smith, G.—56th
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bruneau moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 16—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the City Court of Natchitoches; to increase the jurisdictional amount in dispute for civil jurisdiction; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Nevers
Alario	Futrell	Odinet
Alexander, E	Gallot	Perkins
Alexander, R	Glover	Pierre
Ansardi	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Pratt
Beard	Hebert	Quezaire
Bowler	Hill	Richmond
Broome	Honey	Riddle
Bruce	Hopkins	Romero
Bruneau	Hudson	Salter
Capella	Hutter	Scalise
Carter, K	Iles	Schwegmann
Carter, R	Jackson, L	Shaw
Cazayoux	Jackson, M	Smith, J.D.—50th
Clarkson	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McCallum	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright

Total—102

NAYS

Schneider
Total—1

ABSENT

Hunter
Total—2

Smith, G.—56th

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 27—

BY REPRESENTATIVES JOHNS, BOWLER, AND CLARKSON
AN ACT

To amend and reenact R.S. 9:315.9(A) and 315.20, relative to child support; to provide for the calculation of child support obligations in shared custodial arrangements, to provide a worksheet for the calculation of shared custody; and to provide for related matters.

Read by title.

Rep. Bowler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Ansardi	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hutter	Scalise
Capella	Iles	Schneider
Carter, K	Jackson, L	Schwegmann
Carter, R	Jackson, M	Shaw
Cazayoux	Johns	Smith, J.D.—50th
Clarkson	Katz	Smith, J.H.—8th
Crane	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Swilling
Devillier	LeBlanc	Thompson
Diez	Lucas	Toomy
Doerge	Martiny	Townsend
Downer	McCallum	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinet	

Total—101

NAYS

Total—0

ABSENT

Alexander, R
Crowe
Total—4

Hunter
Smith, G.—56th

Page 6 HOUSE

3rd Day's Proceedings - March 27, 2002

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bowler moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 38—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Children's Code Article 1243(A)(introductory paragraph), relative to intrafamily adoptions; to specify that stepparents are eligible petitioners in intrafamily adoptions; and to provide for related matters.

Read by title.

Rep. Ansardi sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ansardi to Engrossed House Bill No. 38 by Representative Ansardi

AMENDMENT NO. 1

On page 1, at the beginning of line 4, before "are" insert "and stepgrandparents"

AMENDMENT NO. 2

On page 1, after line 19, insert the following:

"Section 2. The provisions of this Act shall be applied both prospectively and retroactively, and shall be applied to all pending and future intrafamily adoptions.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Ansardi, the amendments were adopted.

Rep. Ansardi moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Pierre
Alexander, E	Glover	Pinac
Alexander, R	Green	Pitre
Ansardi	Guillory	Powell
Baldone	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Riddle
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hutter	Schneider

Capella
Carter, K
Carter, R
Cazayoux
Clarkson
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Downer
Durand
Erdey
Farrar
Fauchaux
Flavin
Frith
Fruge

Total—103

Iles
Jackson, L
Jackson, M
Johns
Katz
Kennard
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McCallum
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet

Schwegmann
Shaw
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Hunter
Total—2

Smith, G.—56th

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ansardi moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 51—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 47:302.53, 322.45, and 332.51, relative to the disposition of certain sales tax collections in Concordia Parish; to establish the Concordia Parish Economic Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for the use of such monies; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Pierre
Alexander, E	Glover	Pinac
Alexander, R	Green	Pitre
Ansardi	Guillory	Powell
Baldone	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Riddle
Bowler	Honey	Romero
Broome	Hopkins	Salter

Bruce	Hudson	Scalise
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Clarkson	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Doerge	McCallum	Tucker
Downer	McDonald	Waddell
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinet	
Total—103		

NAYS

Total—0

ABSENT

Hunter Smith, G.—56th
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Second Reading to be Referred at this time.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

Motion

On motion of Rep. Schneider, House Bill No. 134 was called from the calendar.

HOUSE BILL NO. 134— BY REPRESENTATIVE SCHNEIDER AN ACT

To amend and reenact R.S. 11:542(A), (B), and (C)(1) and (2), relative to cost-of-living increases for retirees, survivors, and beneficiaries provided by the Louisiana State Employees Retirement System; to provide relative to credits and debits of the Employee Experience Account from which such increases are paid; to provide for payment of such increases on a calendar-year basis and based on the Employee Experience Account

balance for the prior fiscal year; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Retirement.

Suspension of the Rules

On motion of Rep. Hill, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

March 27, 2002

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 3

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

SENATE BILLS

March 27, 2002

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 5, 7, 8, 14, 18, 19, 20, 32, 34, 35, 38, 40, 42, 47, 53, 54, 63, 72, and 75

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Senate Bills and Joint Resolutions on Second Reading to be Referred

Rep. Hill asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just received from the Senate with a view of advancing same, which were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 5—

BY SENATOR CAIN AND REPRESENTATIVES HILL AND JOHN SMITH
AN ACT

To amend and reenact R.S. 47:302.24(B) and (C) and 322.8, and to repeal R.S. 47:302.24(D), relative to sales and use taxes; to provide for the allocation and use of tax proceeds credited to the Beauregard Parish Community Development Fund; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 7—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE
AN ACT

To authorize and empower the Terrebonne Parish School Board to lease certain described property in Terrebonne Parish to the Department of Wildlife and Fisheries; to provide for execution of lease documents; to provide for reservation of mineral rights; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

SENATE BILL NO. 8—

BY SENATOR HOYT

AN ACT

To enact R.S. 33:172.3, relative to annexation of property by municipalities; to provide for annexation of property by the city of Crowley; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 14—

BY SENATORS THEUNISSEN, DARDENNE, HOYT, B. JONES AND MOUNT

AN ACT

To amend and reenact R.S. 17:10.3 and Section 10 of Act No. 1185 of the 2001 Regular Session of the Legislature, relative to the School and District Accountability Fund; to delete such fund from a general repeal of certain funds effective July 1, 2002; to limit the use of the fund to the provision of rewards to public schools earning monetary rewards as part of the school and district accountability system; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

SENATE BILL NO. 18—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Section 3 of Act No. 113 of the 1950 Regular Session of the Legislature, as amended by Act No. 186 of the 1970 Regular Session of the Legislature, Act No. 196 of the

1992 Regular Session of the Legislature, Act No. 953 of the 1995 Regular Session of the Legislature, and Act No. 2 of the 1998 First Extraordinary Session of the Legislature, relative to the Bayou Lafourche Freshwater District; to provide relative to per diem and mileage for board members; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 19—

BY SENATOR HOYT

AN ACT

To amend and reenact R. S. 17:3091(A) and (C), 3092(11), 3095(E)(1), the introductory paragraph of 3096(A)(1), (A)(1)(b), (D), (E)(1) and (2), and 3099(E), relative to the Louisiana Student Tuition Assistance Revenue Trust Program, referred to as START; to conform references to such plans with the federal law; to provide relative to the use that may be made of START account funds; to revise the definition of tuition; to provide for certain residency requirements; to provide that accounts that are invested in equities are eligible for earnings enhancements; to provide relative to the full funding of accounts; to provide relative to the payment of earnings enhancements; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

SENATE BILL NO. 20—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 17:3396.4(D), relative to the Research Park Corporation; to authorize the establishment of an executive committee of the board of directors; to specify membership; to provide for the powers and functions of the executive committee; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

SENATE BILL NO. 32—

BY SENATORS B. JONES, BARHAM, MCPHERSON AND ULLO AND REPRESENTATIVE DEWITT

AN ACT

To amend and reenact Children's Code Art. 791.1, relative to truancy and assessment and service centers; to authorize the creation of a truancy and assessment and service center in that judicial district encompassing the parishes of Lincoln, Union and Rapides; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 34—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 33:4067, relative to the merger of the Cameron

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 35—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:525(A), relative to the promotion of certain school employees in certain school systems; to reinstate provisions providing for the probationary period in the position to which an employee is promoted; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

SENATE BILL NO. 38—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact Sections 1 and 2 of Act 484 of the 2001 Regular Session of the Legislature which authorizes and empowers the Board of Commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee District to exchange title to certain properties in Rapides Parish with the Hemphill Star Church and Hemphill Star Cemetery; and to provide for related matters.

Read by title.

SENATE BILL NO. 40—
BY SENATOR BAJOE AND REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 33:9092(A), (D)(2), and (F)(1), relative to neighborhood security districts; to change the name of the Garden District's Security Special Taxing District; to change the qualifications for membership on the board of directors of the district; to authorize the renewal of the district's special tax or fee; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 42—
BY SENATORS MCPHERSON AND ELLINGTON

AN ACT

To authorize and empower the office of state lands to transfer title to certain property located in Catahoula Parish to the Department of Wildlife and Fisheries for inclusion into the Dewey W. Wills Wildlife Management Area; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources.

SENATE BILL NO. 47—
BY SENATOR BARHAM

AN ACT

To enact R.S. 40:1300.143(3)(a)(vii), relative to the Rural Preservation Act; to provide for changes to the criteria used to define rural hospitals; to provide for retroactive application; and to provide for related matters.

Read by title.

SENATE BILL NO. 53—
BY SENATOR MOUNT

AN ACT

To enact R.S. 46:1053(C)(2)(d), relative to the Calcasieu Cameron Hospital Service District; to provide relative to the per diem of the members of the board of commissioners of the district; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 54—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 39:551.7(B), relative to the DeSoto Parish Industrial District; to increase the membership of the board of commissioners; to authorize the board to appoint a treasurer; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 63—
BY SENATOR BARHAM

AN ACT

To enact R.S. 33:381(C)(26), relative to the village of Lisbon; to authorize the village governing authority to provide for the filling of the office of chief of police by appointment or in the alternative to abolish the office of police chief; to provide for the method of appointment and for the salary, term, duties, qualifications, supervision, and residency of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 72—
BY SENATOR HANKEL

AN ACT

To enact R.S. 33:9093, relative to crime prevention and security districts; to create the Audubon Area Security District in Orleans Parish; to provide for the boundaries and purpose of the district; to provide for the governance of the district by the Audubon Area Zoning Association; to provide for a taxing authority of the district; to provide for the establishment of a plan specifying the public improvements, facilities, and services proposed on behalf of the district; to provide for a budget; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 75—
BY SENATORS BOISSIERE AND SCHEDLER AND REPRESENTATIVES ALARIO AND TUCKER

AN ACT

To amend and reenact R.S. 33:9039.20(B)(7), relative to community development districts; to limit the authority of such districts relative to revenue producing utilities; to exclude electricity and gas service from such authority; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

March 27, 2002

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 18

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Flavin, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR MOUNT**

A CONCURRENT RESOLUTION

To proclaim March 30, 2002 as Doctors Day in the state of Louisiana in order to honor and recognize all physicians who dedicate themselves and their careers to the care of their patients and the advancement of medicine and to thank them for their contributions to improving the quality of life for all of Louisiana's citizens.

Read by title.

On motion of Rep. Flavin, and under a suspension of the rules, the resolution was concurred in.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 8—
BY REPRESENTATIVE SCHNEIDER
A RESOLUTION**

To request the House Committee on Retirement to study issues related to providing a fair and equitable means for the state to rehire retired persons when necessary, balancing the needs of the individual retiree with the needs of the employer agency and the Louisiana State Employees Retirement System; and to report its findings and recommendations to the House of Representatives prior to the convening of the 2003 Regular Session.

Read by title.

On motion of Rep. Schneider, and under a suspension of the rules, the resolution was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVE DOERGE**

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana to the family of Judge James E. Bolin upon his death.

Read by title.

On motion of Rep. Doerge, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 27—
BY REPRESENTATIVE CURTIS**

A CONCURRENT RESOLUTION

To encourage each city, parish, and other local public school board to adopt a policy or policies to require an attendant for each school bus used to transport students in its system in grades kindergarten through eight.

Read by title.

On motion of Rep. Curtis, and under a suspension of the rules, the above resolution was referred to the Committee on Education, under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 28—
BY REPRESENTATIVE SCALISE**

A CONCURRENT RESOLUTION

To recognize May 2, 2002, as Space Day in Louisiana.

Read by title.

On motion of Rep. Scalise, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

March 27, 2002

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 44, by Triche
Reported favorably. (12-0) (Regular)

House Bill No. 67, by Murray
Reported with amendments. (15-2) (Regular)

House Bill No. 69, by DeWitt
Reported favorably. (13-0) (Regular)

House Bill No. 103, by LeBlanc
Reported with amendments. (13-0) (Regular)

House Bill No. 132, by LeBlanc
Reported favorably. (13-0) (Regular)

JERRY LUKE LEBLANC
Chairman

Report of the Committee on Insurance

March 27, 2002

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the following report:

House Concurrent Resolution No. 14, by Gallot
Reported favorably. (9-0)

House Bill No. 59, by Hebert
Reported by substitute. (8-1) (Regular)

House Bill No. 61, by Johns
Reported favorably. (9-0) (Regular)

House Bill No. 75, by Hebert
Reported with amendments. (9-0) (Regular)

TROY HEBERT
Chairman

Report of the Committee on Ways and Means

March 27, 2002

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 104, by Hammett
Reported with amendments. (13-0) (Regular)

House Bill No. 105, by Hammett
Reported with amendments. (13-0) (Regular)

House Bill No. 106, by Hammett
Reported with amendments. (13-0) (Regular)

House Bill No. 118, by Glover
Reported with amendments. (14-0) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

Suspension of the Rules

On motion of Rep. Hebert, the rules were suspended in order to take up and consider House and House Concurrent Resolutions Reported by Committee at this time.

**House and House Concurrent Resolutions
Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 14—
BY REPRESENTATIVE GALLOT**

A CONCURRENT RESOLUTION

To authorize and request the House Committee on Insurance and the Senate Committee on Insurance to study the practice of excluding named persons from coverage of automobile liability policies.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Hebert, the resolution was ordered engrossed.

Suspension of the Rules

On motion of Rep. Gallot, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended in order to take up House Bills contained in the committee report at this time.

**House Bills and Joint Resolutions on
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 44—
BY REPRESENTATIVE TRICHE
AN ACT**

To enact R.S. 47:322.45 and 332.51, relative to the disposition of certain sales tax collections on hotel occupancy in Lafourche Parish; to establish the Lafourche Parish Association for Retarded Citizens (ARC) Training and Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for the use of the monies in the fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 59—
BY REPRESENTATIVE HEBERT
AN ACT**

To amend and reenact R.S. 22:1401(J), relative to insurance rate filings; to provide changes in rates; to provide for limits; to provide for approval; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Insurance.

The substitute was read by title as follows:

**HOUSE BILL NO. 149 (Substitute for House Bill No. 59 by
Representative Hebert)—
BY REPRESENTATIVE HEBERT**

AN ACT

To amend and reenact R.S. 22:1401(J), relative to insurance rate filings; to limit the number of filings; to provide changes in rates; to provide for limits; to provide for approval; to provide for the commissioner of insurance; to provide for actuarial justification; to provide for notice, and to provide for related matters.

Read by title.

Page 12 HOUSE

3rd Day's Proceedings - March 27, 2002

On motion of Rep. Hebert, the substitute was adopted and became House Bill No. 149 by Rep. Hebert, on behalf of the Committee on Insurance, as a substitute for House Bill No. 59 by Rep. Hebert.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 61— BY REPRESENTATIVES JOHNS AND HEBERT AN ACT

To amend and reenact R.S. 32:900(L)(2), relative to automobile liability policies; to provide for driver exclusions; to provide for agreements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Hebert, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 67— BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER, HEATON, DEWITT, AND HAMMETT AN ACT

To amend Act No. 22 of the 2001 Regular Session of the Legislature, relative to the comprehensive capital construction budget, by adding thereto new Sections; to add projects for the Louisiana Stadium and Exposition District for upgrades of the New Orleans Arena and for an indoor football practice facility for the New Orleans Saints; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 67 by Representative Murray

AMENDMENT NO. 1

On page 2, delete line 9 in its entirety, and insert the following:

"() New Orleans Saints Training Facility,
Indoor Training Facility, Related Facilities
and Equipment"

AMENDMENT NO. 2

On page 2, line 20, after "tourism" and after the period "." delete the remainder of the line and delete lines 21 through 24 in their entirety, and insert the following:

"Contracts for projects funded through this appropriation shall be awarded utilizing the public bid and contractual review processes set forth in Chapter 10 of Title 38 and Chapter 16 of Title 39 of the Louisiana Revised Statutes of 1950, except with respect to time requirements. The alternative time requirements shall be approved by the commissioner of administration before the awarding of any such contracts."

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 69— BY REPRESENTATIVE DEWITT AN ACT

To amend and reenact R.S. 40:1299.41(J), 1299.44(A)(5)(c) through (g) and (D)(2)(b)(v) and (vii), and 1299.47(A)(2)(b) and (3)(introductory paragraph) and to repeal R.S. 40:1299.44(A)(5)(h), relative to the Patient's Compensation Fund; to provide for procedures for contracting for services; to provide for minimum qualifications and standards for lawyers; to provide for the payment of expenses; to provide for the employment and delegation of authority to a claims manager; to provide certain procedures for the filing of claims; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 75— BY REPRESENTATIVE HEBERT AN ACT

To amend and reenact R.S. 22:1078(B)(3)(a), (9), (10), and (11) and to enact R.S. 22:1078(G), relative to fees and licenses of the Department of Insurance; to modify, increase, and add to certain fee schedules of the Department of Insurance; to authorize rule adoption and promulgation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 75 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 17, after "accident" and before "variable" delete "and" and insert in lieu thereof "producer:"

On motion of Rep. Hebert, the amendments were adopted.

On motion of Rep. Hebert, the bill, as amended was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 103— BY REPRESENTATIVE LEBLANC AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 2001-2002 Fiscal Year; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 103 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, delete lines 13 and 14 in their entirety and insert the following:

"for reimbursement to the Charlotte NBA Hornets NBA Limited Partnership for reimbursement of the NBA application fee and for transitional and relocation expenses incurred in the relocation to New Orleans after approval by the BA of such relocation \$ 1,750,000"

AMENDMENT NO. 2

On page 1, between lines 14 and 15 insert the following:

"Notwithstanding any provision of law to the contrary, the first \$1,750,000 deposited into the New Orleans Area Economic Development Fund created in R.S. 47:322.38 shall be appropriated to the state of Louisiana to reimburse the state for the payment to the Charlotte NBA Hornets NBA Limited Partnership of the \$1,750,000 appropriated in this Schedule."

AMENDMENT NO. 3

On page 2, at the end of line 4, insert the following:

"to provide training to low-income parents intargeted cluster areas and demand occupations"

AMENDMENT NO. 4

On page 2, at the beginning of line 5, change "who shall work" to "which training shall be developed"

AMENDMENT NO. 5

On page 2, line 6, after "Development", delete the remainder of the line and insert a comma "," and delete lines 7 and 8 in their entirety, and insert:

"the Workforce Commission, and other agencies \$ 5,000,000"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 104—

BY REPRESENTATIVES HAMMETT, DEWITT, AND PINAC
AN ACT

To enact R.S. 47:301(10)(a)(v), relative to sales and use taxes; to provide for exclusions from the tax for certain capital expenditures by biotechnology companies; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 104 by Representative Hammett

AMENDMENT NO. 1

On page 2, between lines 8 and 9, insert the following:

"Section 2. The provisions of this Act shall become effective on July 1, 2002 and shall be null and void on June 30, 2006."

AMENDMENT NO. 2

On page 2, delete lines 9 through 14

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 105—

BY REPRESENTATIVES HAMMETT, DEWITT, AND PINAC
AN ACT

To enact Part VI of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2351 through 2354, relative to providing for the Technology Commercialization Credit Program; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of the Technology Commercialization Credit Program; to provide for the technology commercialization credit; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 105 by Representatives Hammett, DeWitt, and Pinac

AMENDMENT NO. 1

On page 3, line 11, after "research", delete "done" and insert "developed by a student, faculty, or staff member who is principally employed by a regionally accredited college, technical school, or university located in Louisiana"

AMENDMENT NO. 2

On page 3, delete lines 12 through 14, and insert "accredited college, technical school, or university located in Louisiana."

AMENDMENT NO. 3

On page 7, line 12, after "of" change "forty" to "twenty"

Page 14 HOUSE

3rd Day's Proceedings - March 27, 2002

AMENDMENT NO. 4

On page 7, line 13, after "than" change "forty" to "twenty"

AMENDMENT NO. 5

On page 8, at the end of line 2, insert "This Act shall become null and void on December 31, 2006."

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 106—

BY REPRESENTATIVES HAMMETT, DEWITT, AND PINAC
AN ACT

To enact R.S. 47:6015, relative to tax exemptions; to authorize the Department of Economic Development to award certain tax credits to qualified taxpayers for increasing research activities; to provide for certain rules and procedures for awarding credits; to provide for the maximum amount of the tax credits awarded; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 106 by Representatives Hammett, DeWitt, and Pinac

AMENDMENT NO. 1

On page 2, at the end of line 2, delete "any and" and at the beginning of line 3, delete "all state" and insert "income and corporation franchise"

AMENDMENT NO. 2

On page 3, line 11, after "than", change "forty" to "twenty"

AMENDMENT NO. 3

On page 4, after line 10, insert the following:

"G.(1) Notwithstanding any other provision of this Section to the contrary, for the period beginning on January 1, 2003 and ending on December 31, 2003, the credit provided for in this Section shall be reduced by seventy-five percent.

(2) Notwithstanding any other provision of this Section to the contrary, for the period beginning on January 1, 2004 and ending on December 31, 2004, the credit provided for in this Section shall be reduced by fifty percent.

(3) Notwithstanding any other provision of this Section to the contrary, for the period beginning on January 1, 2005 and ending on December 31, 2005, the credit provided for in this Section shall be reduced by twenty-five percent.

Section 2. The provisions of this Act shall become effective for all taxable periods beginning on or after January 1, 2003. This Act shall become null and void on December 31, 2006."

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 118—

BY REPRESENTATIVES GLOVER, HAMMETT, DEWITT, AND PINAC
AN ACT

To amend and reenact R.S. 51:1784(C) and 2461(B), and Section 4 of Act No. 46 of the 2000 Regular Session of the Legislature, relative to economic development activities of the state; to provide for the source of data used in applying criteria for qualifying for the enterprise zone program; to provide for applications for incentive tax credits; to provide for certain tax credits available to employers for new jobs created in the state; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 118 by Representative Glover

AMENDMENT NO. 1

On page 1, delete line 6, and insert "to provide for"

AMENDMENT NO. 2

On page 1, line 11, delete "and 2461(B) are" and insert "is"

AMENDMENT NO. 3

On page 2, delete lines 6 through 17 in their entirety

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 132—

BY REPRESENTATIVE LEBLANC, DEWITT, AND HAMMETT
AN ACT

To amend and reenact R.S. 39:137(A) through (C) and (F) and to repeal R.S. 39:137(E); relative to the Deficit Elimination/Capital Outlay Escrow Replenishment Fund; to provide for use of monies in the fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

Motion

On motion of Rep. Curtis, the Committee on Education was discharged from further consideration of House Concurrent Resolution No. 15.

HOUSE CONCURRENT RESOLUTION NO. 15—

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To encourage each city, parish, and other local public school board to adopt a policy or policies to require an attendant for each school bus used to transport students in its system.

Read by title.

Motion

On motion of Rep. Curtis, the resolution was withdrawn from the files of the House.

Privileged Report of the Committee on Enrollment

March 27, 2002

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 1—

BY REPRESENTATIVES HUTTER, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To recognize the week of September 11 each year as a week of prayer and remembrance.

HOUSE CONCURRENT RESOLUTION NO. 3—

BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, PITRE, AND TRICHE AND SENATORS DUPRE AND GAUTREAUX

A CONCURRENT RESOLUTION

To commend Louis Toups upon being named Louisiana State Police Uniformed Trooper of the Year.

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To recognize the reserve peace officers of the state of Louisiana for their dedication and the service they provide to the residents of the state of Louisiana by declaring the first full week of April as "State Reserve Peace Officer Recognition Week", and to request that all communities with reserve peace officers in service recognize and show appreciation to these reserve units, reserve officers, and their families.

HOUSE CONCURRENT RESOLUTION NO. 8—

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend and congratulate the LSU Fighting Tigers, head coach Nick Saban, the assistant coaches, and staff for their outstanding achievements during the historic 2001 season.

HOUSE CONCURRENT RESOLUTION NO. 9—

BY REPRESENTATIVES MCDONALD, KATZ, AND MCCALLUM AND SENATOR BARHAM

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Tony Cascio of Monroe.

HOUSE CONCURRENT RESOLUTION NO. 10—

BY REPRESENTATIVE ANSARDI

A CONCURRENT RESOLUTION

To commend the American Society of Civil Engineers upon the occasion of its one hundred fiftieth anniversary.

HOUSE CONCURRENT RESOLUTION NO. 11—

BY REPRESENTATIVES FLAVIN, GUILLORY, HILL, ILES, JOHNS, MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Judge Edwin F. Hunter, Jr. of Lake Charles.

HOUSE CONCURRENT RESOLUTION NO. 12—

BY REPRESENTATIVES FLAVIN, GUILLORY, HILL, ILES, JOHNS, MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Frank T. Salter, Jr., former District Attorney of Calcasieu Parish.

HOUSE CONCURRENT RESOLUTION NO. 17—

BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Eugene "Gene" Allen of Sulphur.

HOUSE CONCURRENT RESOLUTION NO. 20—

BY REPRESENTATIVE BAYLOR

A CONCURRENT RESOLUTION

To recognize annually the first Tuesday in May as National High School Seniors' Voter Registration Day.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Leave of Absence

Rep. Gary Smith - 1 day

Adjournment

On motion of Rep. Kenney, at 3:05 P.M., the House agreed to adjourn until Monday, April 1, 2002, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Monday, April 1, 2002.

ALFRED W. SPEER
Clerk of the House